IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 4TH DECEMBER 2006 / 13TH AGRAHAYANA 1928

W.P.(C).No.30083 of 2003(F)

PETITIONERS:-

1. MALABAR DEVASWOM STAFF UNION
   REP. BY SECRETARY P.MURALEEDHARAN,
   S/O.KANNAN NAIR, AGED 33, MANIYARA HOUSE,
   CHERUVATHOOR, KASARAGOD DIST.

2. P.MURALEEDHARAN, SECRETARY, MALABAR
   DEVASWOM STAFF UNION, OF DO. DO.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:-

1. STATE OF KERALA,
   REP. BY ITS CHIEF SECRETARY, GOVT. OF KERALA,
   TRIVANDRUM.

2. COMMISSIONER,
   HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS BOARD,
   KOZHIKODE.

BY SENIOR GOVERNMENT PLEADER SRI.M.R.SABU.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/12/2006, ALONG WITH W.P.(C).NOS.25172 OF 2003-V AND 4211 OF 2004-B, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - TRUE COPY OF THE JUDGMENT IN O.P.214 OF 1992 DATED 21.7.1994.

EXT.P2 - TRUE COPY OF THE JUDGMENT IN O.P.13907 OF 1994 DATED 19.2.1998.

- TRUE COPY -

V.K.Bali,C.J. & S.Siri Jagan,J.

W.P.(C).Nos.30083 of 2003-F,
25172 of 2003-V & 4211 of 2004-B

Dated, this the 4th day of December, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

By this common order, we propose to dispose of three connected matters, i.e. W.P.(C).Nos.30083 of 2003, 25172 of 2003 and 4211 of 2004.

2. In the present writs filed under Article 226 of the Constitution of India, the prayer is to direct the respondents to implement direction No.12 given by this Court in the judgment dated 21st July, 1994 passed in O.P.No.214 of 1992-S (Exhibit P1), which reads as follows:

> "In view of our finding that inequality is writ large on the face of the Madras Hindu Religious and Charitable Endowments Act in its application to the former Malabar District the Act is likely to suffer a serious and successful challenge in case that inequality is not removed by appropriate legislation. We grant a period of one year for this purpose".

3. Mr.M.R.Sabu, learned Senior Government Pleader states that the Government has already moved so as to comply with the direction reproduced above and a Bill is likely to be introduced for that purpose in the State Legislative Assembly as expeditiously as possible. In view of the statement made by the learned Government Pleader, these matters are closed with an observation that the Government would expedite the matter. I.A.No.12109 of 2003 in W.P.(C).No.25172 of 2003 does not survive.

V.K.Bali
Chief Justice

S.Siri Jagan
Judge

vku/-